

**REMARKS/ARGUMENTS**

The office action initially rejected claims 1-23 under 35 U.S.C. §102(e) as being anticipated by Nguyen (U.S. Pat. 5,638,448). Furthermore, claims 8, 9 and 11 were rejected under 35 U.S.C. §103(a) in view of Nguyen (U.S. Pat. 5,643,448).

The Office Action initially rejected the claims based on the Nguyen reference (U.S. Pat. 5,638,448). Notably, the Nguyen reference does not discuss encrypting a single data stream at different levels of encryption. Instead, it discusses how different data streams can be encrypted differently depending upon their destination. For example, data streams intended to be transmitted to destinations in foreign countries are encrypted at a lower level of encryption, while data streams intended for destinations within the U.S. can be encrypted at higher levels.

Therefore, in order to clarify that the applicants are actually referring to a data stream intended for a single destination and that different portions of the data stream are encrypted or decrypted at different levels of encryption, the claims have been amended accordingly.

Claim 1 has been amended to recite that the first data stream is sent to a destination device for decryption and that the second data stream is sent to the same destination device for decryption. Thus, the Nguyen reference does not teach that data streams are sent to the same destination device at different levels of encryption for decryption by the destination device.

Claim 3 has been amended for the sake of clarity in view of the amendment to claim 1. Furthermore, it is noted that the section of the Nguyen reference cited by the Examiner does not refer to a set top box as required by the claim.

Claim 10 has been amended to refer to an incoming data stream. Thus, the reconfiguration circuit cited in the claim is operable to store a first and second set of encryption data for use in encrypting the incoming data stream. Nguyen does not teach encrypting an incoming data stream at different levels of encryption. Therefore, it is believed that this claim is in condition for allowance.

Claim 14 has been amended to clarify that the first and second data streams received for decryption are received from the same originating source. As noted above, the Nguyen reference does not teach different levels of encryption for the same data stream sent between an originating source and a destination device.

Claim 19 has been amended to recite a transmitter operable to transmit data encrypted according to a first cryptographic algorithm and data according to a second cryptographic algorithm. As noted above, the Nguyen reference does not teach transmission of a data stream encrypted at two different levels of encryption to the same destination device.

Claim 21 has been amended to independent form by including elements from claim 19 which it previously depended from. Furthermore, it also recites that the processor is operable to implement a plurality of cryptographic algorithms so as to decrypt a first portion of an incoming data stream according to a first cryptographic algorithm and to decrypt a second portion of the incoming data stream according to a second cryptographic algorithm. The Nguyen reference fails to teach a data stream having two different levels of encryption. Therefore, it fails to teach decrypting such a data stream.

Claim 22 has been amended to recite code for use by a processor that allows the processor to utilize a first set of decryption data to decrypt a first portion of the incoming data stream and code for use by the processor to utilize the second set of decryption data to decrypt a second portion of the incoming data stream. The Nguyen reference fails to teach at least these elements.

Claim 23 was rejected in view of the Nguyen reference. Claim 23 has not been amended. It is believed that the Nguyen reference does not discuss a set top box. Thus, for example, the Nguyen reference would fail to teach "transmitting from said headend to said set top box said second data stream." In view of the failure of the Nguyen reference to teach a set top box, the applicants' respectfully traverse the rejection of claim 23 under 35 U.S.C. §102(e).

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Amdt. dated June 14, 2004  
Reply to Office Action of March 15, 2004

PATENT

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



William F. Vobach  
Reg. No. 39,411

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
WFV:klb  
60227880 v1